

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-11 and 13-16 were pending in the application, of which Claims 1, 11, and 13-16 are independent. In the Final Office Action dated March 6, 2003, Claim 16 was rejected under 35 U.S.C. §102(e) and Claims 1-11 and 13-15 were rejected under 35 U.S.C. §103(a). Following this response, Claims 1-11 and 13-16 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. § 102(e)

In the Office Action dated March 6, 2003, the Examiner rejected Claim 16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,742,824 ("*Kosaka*"). Claim 16 has been amended to further define and clarify the invention, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

Amended Claim 16 is patentably distinguishable over the cited art in that it recites, for example, wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs.

In contrast, *Kosaka* at least does not teach or suggest a job execution control apparatus configured for executing a plurality of jobs in a parallel manner and further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs, as recited in amended Claim 16. For example, *Kosaka* discloses a

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serial relationship in which a first program calls a second program and then waits until the second program is complete before resuming. (See Col. 3, lines 50-54, Col. 3, lines 60-65.) FIG. 3 further illustrates this serial relationship. In FIG. 3, program A cannot complete its task until program B completes its task. Similarly, program B of FIG. 3 cannot complete its task until program C is complete. Clearly, *Kosaka* discloses jobs run in series, not in parallel. In *Kosaka*, the control apparatus is not configured to execute a plurality of jobs in a parallel manner, rather the jobs are executed in series.

Kosaka would not have led to the claimed invention because *Kosaka* at least does not disclose or suggest wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs, as recited by amended Claim 16. Accordingly, independent Claim 16 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection.

II. Rejection of Claims 1, 11, 14, and 15 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 1, 11, 14, and 15 under 35 U.S.C. § 103(a) as being unpatentable over *Kosaka* in view of U.S. Patent No. 5,999,911 ("*Berg*"). Claims 1, 11, 14, and 15 have been amended to further define and clarify the invention, and Applicants respectfully submit that these amendments overcome this rejection and add no new matter.

Amended Claims 1, 11, 14, and 15 are patentably distinguishable over the cited art in that they each recite, for example, wherein the job execution control apparatus is

configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs.

In contrast, *Kosaka* at least does not teach or suggest a job execution control apparatus configured for executing a plurality of jobs in a parallel manner and further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs, as recited in amended Claims 1, 11, 14, and 15. For example, *Kosaka* discloses a serial relationship in which a first program calls a second program and then waits until the second program is complete before resuming. (See Col. 3, lines 50-54, Col. 3, lines 60-65.) FIG. 3 further illustrates this serial relationship. In FIG. 3, program A cannot complete its task until program B completes its task. Similarly, program B of FIG. 3 cannot complete its task until program C is complete. Clearly, *Kosaka* discloses jobs run in series, not in parallel. In *Kosaka*, the control apparatus is not configured to execute a plurality of jobs in a parallel manner, rather the jobs are executed in series.

Furthermore, *Berg* does not overcome *Kosaka*'s deficiencies. *Berg* merely discloses a workflow manager system providing computer-assisted, graphical tools for defining and managing complex processes in terms of a workflow. Like *Kosaka*, *Berg* at least does not teach or suggest a job execution control apparatus configured for executing a plurality of jobs in a parallel manner and further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs.

Combining *Kosaka* with *Berg* would not have lead to the claimed invention because *Kosaka* and *Berg*, either individually or in combination, at least do not disclose or suggest wherein the job execution control apparatus is configured for executing a

plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs, as recited by amended Claims 1, 11, 14, and 15. Accordingly, independent Claims 1, 11, 14, and 15 patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection.

Dependent Claims 2-10 are also allowable at least for the reasons above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-10.

III. Rejection of the Claim 13 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claim 13 under 35 U.S.C. § 103(a) as being unpatentable over *Kosaka* in view of U.S. Patent No. 4,570,217 ("*Allen*"). Claim 13 has been amended to further define and clarify the invention, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

Amended Claim 13 is patentably distinguishable over the cited art in that it recites, for example, wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs.

In contrast, *Kosaka* at least does not teach or suggest a job execution control apparatus configured for executing a plurality of jobs in a parallel manner and further configured for pausing at least one of the plurality of jobs independent of the remaining

plurality of jobs, as recited in amended Claim 13. For example, *Kosaka* discloses a serial relationship in which a first program calls a second program and then waits until the second program is complete before resuming. (See Col. 3, lines 50-54, Col. 3, lines 60-65.) FIG. 3 further illustrates this serial relationship. In FIG. 3, program A cannot complete its task until program B completes its task. Similarly, program B of FIG. 3 cannot complete its task until program C is complete. Clearly, *Kosaka* discloses jobs run in series, not in parallel. In *Kosaka*, the control apparatus is not configured to execute a plurality of jobs in a parallel manner, rather the jobs are executed in series.

Furthermore, *Allen* does not overcome *Kosaka*'s deficiencies. *Allen* merely discloses a man-machine interface for use with industrial processes having the capability of design and configuration of an interrelationship of components forming an overall industrial process. Like *Kosaka*, *Allen* at least does not teach or suggest a job execution control apparatus configured for executing a plurality of jobs in a parallel manner and further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs.

Combining *Kosaka* with *Allen* would not have lead to the claimed invention because *Kosaka* and *Allen*, either individually or in combination, at least do not disclose or suggest wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs, as recited by amended Claim 13. Accordingly, independent Claim 13 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection.

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IV. Conclusion

Applicants respectfully request that this Amendment After Final be entered by the Examiner, placing the claims in condition for allowance. Applicants respectfully submit that the proposed amendments of the claims do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicants respectfully submit that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants respectfully submit that the claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

In view of the foregoing, Applicants respectfully submit that the pending claims, as amended, are patentable over the cited references. The preceding arguments are based only on the arguments in the Official Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Official Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

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Please grant any extensions of time required to enter this amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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